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|-------------------------------|------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                               | 09/939,082             | POMATA ET AL.       |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                               | Barry Choobin          | 2625                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to November 5, 2004.
2. ☒ The allowed claim(s) is/are 1-13, 15-41, 43-46 (renumbered as 1-44).
3. ☒ The drawings filed on 05 November 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☒ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings were received on November 5, 2004. These drawings are approved

### ***Response to Amendment***

Amendment filed November 5, 2004 has been entered.

Claims 14 and 42 have been cancelled.

Currently claims 1-13, 15-41 and 43-46 are pending.

### ***Allowable Subject Matter***

Claims 1-3 were previously allowed.

In view of applicant's amendment filed November 5, 2004 and overcoming the rejection of 35 U.S.C. 112 dated August 17, 2004, now claims 4-13, 15-41 and 43-46 are in condition for allowance.

### ***REASON FOR ALLOWANCE***

The following is a statement of reasons for the indication of allowable subject matter: prior art fails to teach or fairly suggest an imaging method including the steps: Combining the response signals relating to the two successive pulses by a weight function which, by comparing corresponding samples of the two echo signals, assumes values in a range between a maximum value and a minimum value depending on the mutual correlation measure between said corresponding samples of the two signals; combining the weight function thereby obtained with the combination of the two echo

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signals and transforming the resulting signal into image data in combination with other elements of independent claim 1.

Although, Song (US 6,618,607) disclose MRI imaging using a single excitation comprising; generating a single excitation pulse and exciting a target region of a subject with the generated excitation pulse and exiting a target region of a subject with the generated excitation pulse, obtaining a first compensated image, and second compensated image, combining first and second image. But Song fails to teach or fairly suggest the invention as specified in claim 1.

Claims 1-13, 15-41 and 43-46 are allowed (renumbered as claims 1-44).

#### ***CONTACT INFORMATION***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry Choobin whose telephone number is 703-306-5787. The examiner can normally be reached on M-F 7:30 AM to 18:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 703-308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barry Choobin  
February 9, 2005



BHAVESH M. MEHTA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600